

Marquess, Scott

From: Marquess, Scott
Sent: Tuesday, June 17, 2014 11:46 AM
To: McCabe, Greg
Subject: RE: Nitrate tox info

Interesting. I was thinking of responding as if it was a FOIA; to which I'd have little/no info "in my possession". I'm guessing that wasn't the intent here.

I was mostly thinking about referring him to EPA web info that address his question, although, sometimes our web sites can be badly dated. Probably moot on this issue however.

From: McCabe, Greg
Sent: Tuesday, June 17, 2014 11:00 AM
To: Marquess, Scott
Subject: RE: Nitrate tox info

For what it's worth, I would only send EPA guidance or reports (or reports that we've relied on for decision-making purposes) that we have in our possession. I wouldn't send anything off the Internet (unless it's an EPA guidance or publication, and can be considered to be 'in our possession'.) My advice on foias is always to give them exactly what they ask for – no less, but certainly no more...especially in this case where you're dealing with an attorney.

From: Marquess, Scott
Sent: Tuesday, June 17, 2014 10:49 AM
To: McCabe, Greg
Subject: Nitrate tox info

I've mentioned the nitrate issue at Pretty Prairie. We received a letter from an attorney in Hutchinson (maybe working w/ Pretty Prairie) who is asking for "EPA Guidelines on nitrate levels and any studies or proof that may be in your possession, that nitrate levels about the recommended amount are harmful".

Any suggestions on how to reply? I'm guessing whatever info we had when we established the MCL would be responsive. Probably can find lots of stuff on the internet as well. Any guidance on responding would be appreciated.

Thanks